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To: All HOPWA Project Sponsors  
From: Lisa Coffman, HOPWA Coordinator  
Date: May 13, 2003  
**Re: Terminating Clients from HOPWA**

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**Notice:** HOPWA 03-01

This notice transmits Indiana Housing Finance Authority's (IHFA) policy on terminating clients from the Housing Opportunities for Persons with AIDS (HOPWA) program. This policy is effective June 1, 2003.

For the purposes of this policy, there are three types of termination:

- Voluntary – initiated by the client
- Involuntary – initiated by IHFA or the Project Sponsor due to a client's non-compliance or fraud
- Death – death of the qualifying client

Voluntary termination is when the client decides to leave the program due to no longer needing assistance, enrollment in Section 8 or other assisted housing programs, an increase in household income that deems them ineligible, etc. Project Sponsors are required to report voluntary terminations to IHFA within 7 days of receiving notification from the client. The Project Sponsor must also notify the landlord that they will no longer be receiving rental assistance.

Involuntary termination is initiated by either IHFA or the Project Sponsor due to a client's non-compliance or fraud. Examples of non-compliance/fraud include but are not limited to: failure to provide a lease or requested information to process the application, failure to report all sources of household income, failure to identify household members, falsifying information in order to receive assistance, etc. Clients who are involuntarily terminated due to a violation of requirements are ineligible to receive HOPWA assistance funded through the state of Indiana for a period of up to one year. For the purposes of this policy, HOPWA assistance is defined as short-term and rental assistance. Project Sponsors can still provide supportive services to terminated clients.

According to the HOPWA regulations (24 CFR Sec. 574.310 (e) (2) (iii)), clients who are involuntarily terminated must receive a formal termination process that recognizes their rights to due process of the law. The termination process must:

- Include a written notice mailed by the Project Sponsor to the client containing a clear statement of the reasons for termination and the length of their ineligibility for short-term and mortgage assistance. The Project Sponsor must document the attempt to mail either via certificate of mailing or return receipt;
- Permit the client to have a review of the decision, in which the client is given the opportunity to confront opposing witnesses, present written objections, and be represented by their own counsel, before a person other than the person (or a subordinate of that person) who made or approved the termination decision; and
- Provide prompt written notification of the final decision to the participant.

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30 South Meridian  
Suite 1000  
Indianapolis, IN 46204

(317) 232-7777  
(800) 872-0371  
<http://www.ai.org/ihfa>



If there are situations where the Project Sponsor believes that HOPWA funds should be paid back, please contact IHFA for assistance.

IHFA reserves the right override a Project Sponsor's decision on terminating clients.

For clients who die, Project Sponsors can continue to provide housing assistance and/or supportive services to the surviving family members for a grace period not to exceed the greater of one year after the qualifying client's death or the end of the Project Sponsor's grant year. The assistance can only be provided for the surviving family members identified on the original HOPWA application and if the household is income eligible. If the family's household composition or income changes during the grace period, they must notify the Project Sponsor to determine continued eligibility.

IHFA will maintain a list of clients involuntarily terminated to receive HOPWA assistance. In the event, that a client changes care coordination regions and tries to access HOPWA through a different care site, we will inform the care site of the client's ineligibility and the period of time the client is ineligible for HOPWA assistance.

If you have any questions or concerns regarding the information in this memo, please contact Lisa Coffman at (317) 233-1814 or (800) 872-0371 or via e-mail at [lcoffman@ihfa.state.in.us](mailto:lcoffman@ihfa.state.in.us).

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